

MODEL PRIVACY NOTICE

When to use this model:

The provisions of Governor Locke's Executive Order 00-03 require each executive state agency that operates an Internet web site to adopt this Model Notice modified only to the extent necessary to address practical and legal considerations specific to the implementing agency. A link to your Privacy Notice developed from this model must be prominently placed on the agency's home page and on any other page where personal information is collected.

Instructions for using the model:

Required sections. This model contains different sections that will be assembled to compose each agency's web site Privacy Notice. The sections are identified as either required for all privacy notices, or required only under certain circumstances. Agencies should ensure that the text in every section is consistent with its practices and modify as necessary.

Customization. Various words and phrases of this model are set aside in brackets ("[]"). These brackets indicate a need to either (a) customize the bracketed content to address the agency's needs, or (b) determine whether inclusion of the bracketed content is or is not appropriate for the agency.

Notes and instructions in *italics*. Where appropriate in the body of this Model Notice, notes and instructions are provided close to the content to which they relate. These are printed in *italic* font and should be removed before the notice is posted.

Modification of model. This model may not accommodate all agencies' needs and circumstances. It is permissible to modify any provisions of this model to the extent necessary to accommodate the individual needs and circumstances of each agency.

Future review of agency notice. It is recommended that agencies periodically review the Privacy Notices to ensure their accuracy. Appropriate changes should be made as agencies' web site and business practices change.

Section A. Introduction (*Required section. Delete topics listed below that will not appear in the agency Privacy Notice. Add additional topics that will be included in the agency Privacy Notice but are not listed below.*)

Thank you for visiting the [agency name] web site and reviewing our Privacy Notice. This statement addresses collection, use and security of and access to information that may be obtained through use of [agency web site]. This notice covers the following topics:

- Information Collected and How it is Used
- Personal Information and Choice
- Public Access to Information
- Nondisclosure of Certain [Personal/Private] Information
- Review and Correction of Personally Identifiable Information
- Cookies [and applets]
- Security
- Disclaimer
- Contact Information

Section B. Information Collected and How it is Used *(Required section. Use this section to describe the information your agency collects automatically from visitors and also the information that is requested from visitors. In addition, the agency should describe how any information collected is to be used.)*

Information collected if you only browse this site.

If you do nothing during your visit to our web site but browse, read pages, or download information, we will gather and store certain information about your visit. This information does not identify you personally. We automatically collect and store the following information about your visit:

1. The Internet Protocol Address and domain name used. The Internet Protocol address is a numerical identifier assigned either to your Internet service provider or directly to your computer. We use the Internet Protocol Address to direct Internet traffic to you. This address can be translated to determine the domain name of your service provider (e.g. xcompany.com or yourschool.edu);
2. The type of browser and operating system you used;
3. The date and time you visited this site;
4. The web pages or services you accessed at this site; and
5. The web site you visited prior to coming to this web site.

(Verify what information, if any, the agency collects from a visitor's browser. Delete any items above that are not applicable. In the event no information is collected from browsers, this entire subpart can be replaced with the statement: "If you do nothing during your visit to the web site but browse, read pages, or download information, we collect or store no information from you.")

The information we automatically collect or store is [logged and] used by [agency] only to improve the content of our web services and to help us understand how people are using our services. [Agency site] analyzes [this information/the web site logs] to determine how our web site is being used, so that we may continually improve the site's usefulness to the public.

What we collect if you volunteer information.

If during your visit to our web site you participate in a survey, send an email, or perform some other transaction on-line, the following additional information will be collected:

1. The email address, and contents of email, for those who communicate with us via email.
2. Information volunteered in response to a survey.
3. Information volunteered through an on-line form for any other purpose.

(Include only the numbered items that pertain to the agency's web site.)

The information collected is not limited to text characters and may include audio, video, and graphic information formats you send us.

We use your email to respond appropriately. This may be to respond to you, to address issues you may identify, to further improve our web site, or to forward the email to another agency for appropriate action. Survey information is used [*identify use*]. Information from other on-line forms is used [*identify use*].

Section C. Personal Information and Choice. *(Required section. This section is to be used to describe any personal information your agency requests or collects or the fact that you do not collect personal information unless volunteered by user. This section should also describe the extent to which a user may choose to provide the information and the consequences for failing to provide the information.)*

You may choose whether to provide personal information on-line.

“Personal information” is information about a natural person that is readily identifiable to that specific individual. Personal information includes such things as an individual's name, address, and phone number. A domain name or Internet Protocol address is not considered personal information.

We collect no personal information about you unless you voluntarily provide it to us by sending us email, participating in a survey, or completing an on-line form. You may choose not to contact us by email, participate in a survey or to provide any personal information using an online form. Your choice to not participate in these activities will not impair your ability to browse [agency web site] and read or download any information provided on the site. *(If choosing to not use email, participate in a survey or use an on-line form will impair the user's ability to access information or obtain a service, specify that information here. If an alternative method is available--for example you can contact the agency by mail, fax or telephone--specify that information in this section.)*

If personal information is requested on the web site or volunteered by the user, state law and the federal Privacy Act of 1974 may protect it. However, this information is a public record once you provide it, and may be subject to public inspection and copying if not protected by federal or state law.

If you believe that your [personal/private] information is being used for a purpose other than what was intended when submitted, you may contact the [agency contact person or position] as shown in the Contact Information Section of this statement.

[Agency web site] is a general audience site and we do not knowingly collect any personal information from children. Users are cautioned that the collection of personal information requested from or volunteered by children on-line or by email will be treated the same as information given by an adult, and may be subject to public access. *[If either (1) your agency web site is directed to children, particularly those under 13 years of age, (2) those operating the site have actual knowledge that they collect such information from children, or (3) information collected by your site is likely to be submitted by a child; and the site collects children's personal information online, whether directly (i.e. name, age, etc.) or indirectly (i.e. via a tracking mechanism); then collect no more personal information than is reasonably necessary and consider creating a separate area in your privacy notice to address parental consent and the collection of personal information from children. See Children's Online Privacy Protection Act, 16 C.F.R. 312]*

Section D. Public Access to Information *(Required section)*

In the State Of Washington, laws exist to ensure that government is open and that the public has a right to access appropriate records and information possessed by state government. At the same time, there are exceptions to the public's right to access public records that serve various needs including the privacy of individuals. Exceptions are provided by both state and federal laws.

All of the information collected at this site becomes public records that may be subject to inspection and copying by members of the public, unless an exemption in law exists. [RCW 42.17.260\(1\)](#) [hyperlink to statute, if possible] states that

Each agency, in accordance with published rules, shall make available for public inspection and copying all public records, unless the record falls within the specific exemptions of subsection (6) of this section [RCW 42.17.260(6)], RCW 42.17.310, 42.17.315, or other statute which exempts or prohibits disclosure of specific information or records. To the extent required to prevent an unreasonable invasion of personal privacy interests protected by RCW 42.17.310 and 42.17.315, an agency shall delete identifying details in a manner consistent with RCW 42.17.310 and 42.17.315 when it makes available or publishes any public record; however, in each case, the justification for the deletion shall be explained fully in writing.

In the event of a conflict between this Privacy Notice and the Public Records Act or other law governing the agency's disclosure of records, the Public Records Act or other applicable law will control.

Section E. Nondisclosure of Certain [Personal/Private] Information. *(This section is required for web sites that collect information, automatically or voluntarily, that is known to be protected from public disclosure under applicable laws, either state or federal; UNLESS such information is collected in connection with a specialized on-line transaction for which the agency has established a particularized privacy statement, statement of terms and conditions, or user agreement, which is available to the user prior to submitting the affected information to the state.)*

[Agency name] may [request/require] you to provide certain [personal/private] information in order to [identify purpose]. The information is [requested/required] in order to [purpose]. You may choose not to provide this information, but if you choose not to provide it we will be unable to [fulfill purpose], and you will have to [fulfill purpose] [either] in person [or by mail].

The following [laws/rules/regulations] may prevent [agency] from disclosing the [personal/private] information about you [except as necessary for (purpose and to whom)]:

(List applicable laws and explain as necessary.)

Section F. Review and Correction of Personally Identifiable Information. *(Required section)*

You can review any personally identifiable information we collect about you by using the information in the Contact Information section at the end of this Notice. You may recommend changes to your personally identifiable information you believe to be inaccurate by submitting [an email or written?] request that credibly shows the inaccuracy. We will take reasonable steps to verify your identity before granting access or making corrections. (RCW 43.105.310) [hyperlink to statute, if possible]

Section G. Cookies [and applets]. *(Include this section if the agency web site uses cookies or applets. Use this section to identify the use of, and describe the information contained in cookies or details of applets, placed on the user's computer. Do not, however, provide a level of detail that will facilitate hackers access to your system. Since agency application and practices regarding the use of cookies and applets vary greatly, this model section may or may not be accurate for each agency. If this section is used, modify it to accurately reflect the agency system practices.)*

To better serve our users we are now using "cookies" to customize your browsing experience with [agency web site]. Cookies are simple text files stored on your computer by your web browser.

[Cookies created on your computer by using this web site do not contain personally identifying information and do not compromise your privacy or security.] We use the cookie feature [only to store a randomly generated identifying tag on your computer][to store the following information on your computer: *(Identify information placed in user's cookie)*].

[Applets are tools downloaded to your computer to work with the software you have. Applets are intended to enhance your browsing experience by [enabling you to view information in a unique manner] [or] [enable access to information that your computer would otherwise be unable to access without the applet]. We use the following applets with this site: [list any applets].

[You are not required to use applets to browse this site. Choosing not to accept applets will not affect your general ability to browse this web site and download information, but may adversely affect how information appears on your computer or your ability to view the information that the applet is intended to support.]

Section H. Security *(Required section. Use this section to provide a brief overview of agency security.)*

The [agency name], as developer and manager of [agency web site], has taken several steps to safeguard the integrity of its data and prevent unauthorized access to information maintained by [agency name]. [For site security purposes and to ensure that this website remains available to all users, [agency name] employs software to monitor traffic to identify unauthorized attempts to upload or change information or otherwise cause damage to this website.] These measures are

designed and intended to prevent corruption of data, block unknown or unauthorized access to our systems and information, and to provide reasonable protection of private information in our possession. *(Or you can use this sentence "This agency takes precautions to safeguard personal information you provide through our web services".)*

This information should not be construed in any way as giving business, legal, or other advice, or warranting as fail proof, the security of information provided via [agency] web sites.

Section I. Disclaimer. *(Required section)*

The [agency name] web site has many links to other web sites. These include links to web sites operated by other government agencies, nonprofit organizations and private businesses. When you link to another site, you are no longer on the [agency name] web site and this Privacy Notice will not apply. When you link to another web site, you are subject to the privacy policy of that new site.

Reference in this web site to any specific commercial products, processes, or services, or the use of any trade, firm, or corporation name is for the information and convenience of the public, and does not constitute endorsement, recommendation, or favoring by the State of Washington, [agency name], or its officers, employees or agents.

Neither the State of Washington, nor any agency, officer, or employee of the State of Washington warrants the accuracy, reliability or timeliness of any information published by this system, nor endorses any content, viewpoints, products, or services linked from this system, and shall not be held liable for any losses caused by reliance on the accuracy, reliability or timeliness of such information. Portions of such information may be incorrect or not current. Any person or entity that relies on any information obtained from this system does so at its own risk.

[Agency] reserves the right to revise and update this Privacy Notice at any time without notice by posting such revised Privacy Notice at the [Agency] home page.

Section J. [Agency] Contact Information. *(Required section. Include contact information for person to contact to review and/or request corrections to personal information, person to contact to offer complaints, questions or comments regarding the agency's privacy policy and notice, and person to contact to offer comments about the web site. An agency may have only one point of contact, in which case the second contact paragraph below can be deleted.)*

You may contact [agency] as follows:

To review your personal information, or request correction of your personal information:

Public Records Officer [or position that will handle these requests]
[Agency name]
[address]
[FAX]
[telephone number]
[email link]

To offer comments about [agency]'s web site, or about the information presented in this Privacy Notice:

[web master title]
[Agency name]
[address]
[FAX]
[telephone number]
[email link]

Last Modified: [Date]